

**Approved Summary of
Meeting of the Taunton Bay Advisory Group
6 PM Tuesday November 27th
Franklin Town Office
Facilitated Sherman Hoyt
University of Maine Cooperative Extension Service**

Present: Slade Moore, Mike Briggs, Norm Hodgkins, Frank Dorsey, Doug Kimmel, Antonio Blasi, Steve Perrin, Rep. Rob Eaton, DMR Commissioner George Lapointe, Lee Hudson, Shep Erhart, Les Stratton, Sherman Hoyt, and John Sowles.

Public Comments

Noting no members of the public present for comments, we moved on to the meeting summary.

Summary

Shep wanted to be sure that it was reflected in the minutes that invited experts or members of the public who were present could be called upon during relevant portions of the meeting for their local and expert knowledge. [JS note - This point was recorded in the October minutes].

Slade want to correct for the record that the number of core samples he mentioned at the last meeting was not 90 but 120 and that the samples consisted of silty mud, not sand over mud. Action – Minutes approved with above corrections.

John introduced Commissioner Lapointe to the group explaining the breadth of George's roles and responsibilities. He also noted the Lapointe family's personal interest in Maine's natural resources and enthusiasm for outdoor activities including hiking and kayaking.

George told the group that during the larger, statewide bay management effort, there was interest in doing fine scale management across the state. But he and others quickly realized this might not be possible given the limited state and local resources. He explained that he thinks this bay, Taunton Bay, might be a good test to try to make bay management work. He hoped that this example might provide the state and others around the state with the tools and lessons for other areas.

Regarding this advisory group and its calendar, George reminded everyone that the moratorium on dragging lifts July 1, 2008. Therefore, he will need recommendations by early February so that the DMR can go to rulemaking in time for any new rule to be in effect by July. If there is a problem, then we can fix it later. That is one of the strong points about this plan that the Legislature afforded us, changing the law to allow the Department to implement this plan without the need for Legislative approval. [JS note: Two types of rules exist; technical rules that can be passed by the Executive Branch and major substantive rules that proceed through the rulemaking process but then must await Legislative review and approval before it becomes law. Outside Taunton Bay, rules to directly manage commercial resources are technical while rules to regulate one species to protect or manage another (e.g. mussel dragging restrictions to protect eelgrass) are major substantive. The new law allows the DMR to manage all activities and

resources under the more expedient technical rulemaking process. It is important to note that this does not curtail any opportunity for public comment, a public hearing is still required].

Steve asked whether Mike Briggs' proposed aquaculture lease will affect or be affected by the DMR proposal. Neither George nor John knew for sure but committed to follow up with the aquaculture staff to find out.

Doug wondered if the Taunton Bay plan is a unique model and asked what happens after recommendation is made. George thought, yes, this is unique though there probably are others. The 'afterlife' is wide open and can continue as long as there is energy and resources to move forward. Most everyone agreed that there was plenty of work to do.

Mission statement

Steve pointed to the 3rd part. To him the word 'encourage' sounded weak. He suggested replacing it with 'promote' and delete the phrase "by all" to leave room for future generations.

Doug recalled that the intent was that this is a commons we all share. He believes we intend for the use and enjoyment of bay as a common resource.

Shep doesn't like 'promote' for its commercial tone and prefers 'encouragement.' Slade suggested it might be better to talk about sustainable use.

In referring to the phrase 'shoreside human communities,' Steve noted that people's attitudes have changed over time and may no longer be 'inextricably linked' to the bay. Many if not most people are more centered on their work and less on their environment. His point was that public values might be different than what the draft mission statement suggests. Lee pointed out, however, that even if one is not paying attention, one is still a part. Frank agreed noting that one can have impact even if one doesn't consider him/herself a member of the community. Steve reminded us of the Sea Grant survey and suggested we can't really know what the level of interest is without going door to door. Doug clarified that what Steve means is that attitudes change and this is complicated. But does it need to go into mission statement? The consensus of the group was that we can tackle this issue through outreach and education but does not need to be dealt with in the mission statement. Final draft approved, after striking "by all."

Frank handed out his matrix of interests and expertise requesting that we all fill it out and submit to him. Steve asked whether this might raise misperception issues if we list our affiliations. Frank noted that he is merely trying to identify connections that might be useful to the overall effort. The matrix can be good tool for outreach and will also help with our transparency issue. He will hold the information until group is comfortable and gives approval.

Dragging plan

Lee introduced a framework to a comprehensive plan rather than just a dragging plan. It derives from the Maine Seaweed Council's recommendations a few years ago to help look at managing multi-species. She pointed out that Barbara Arter's mudflat study recommendations fall into this matrix. The current moratorium does not consider species population health nor does the DMR plan. She suggested that we need recommendations for all species. Frank asked if we should add gear to the list and should we address side impacts to, for example, seals and birds, by adding seasonal restrictions.

Steve pointed out that it all depends on what “comprehensive” means. For example, where do non-harvested species fall? The DMR plan focuses on harvestable resources. This group represents different points of view. In past we have focused on single species and we need to look at whole system. Lee’s matrix provides a bigger picture. It was noted that we can manage at the individual species level but can integrate and incorporate other factors, impacts and species. Steve stated that this implies we know what is being removed, which we don’t. Slade and Lee thought that monitoring should be part of our proposal but that confidentiality issues need to be addressed. Norm suggested that we focus on the dragging issue for now and move on to the confidentiality issue later.

Slade presented his horseshoe crab tagging study in relation to drag area. Although most horseshoe crabs over winter outside and to the northwest of the drag zone, he wanted to emphasize that his data is an underestimate of crabs using bay. Very likely more crabs than indicated by his limited study do overlap with the proposed drag area.

John briefly reviewed the DMR plan noting that he did consider non-harvestable species and impacts to crabs, seals, eelgrass and birds. He suggested that the tolerance level is not a clear line, but to him the risk was acceptable. He acknowledged that to others the risk might not be acceptable. If it would help others understand the risks, John offered to sponsor a conference call with outside experts.

The group then commented on the proposed plan.

Lee recommended that any boat catching a horseshoe crab needs to tag it. Shep pointed out that the lower area that remained open throughout the moratorium is a big kelp area (evident in one of Steve’s photos). He estimated that of the 50,000 wet pounds there, he took 13,000 wet pounds this year. When asked if he had seen a problem with dragging in this area, he stated he had not. But Shep thought one reason for not seeing a problem was that the area was fished out of urchins and scallops, otherwise he’d see lots of divers, which he hasn’t. Lee stated that dragging did occur this past year, but didn’t last long. Shep would like to see kelp reported as bycatch if this area becomes a drag management area.

John noted that the upper drag area may no longer have marketable mussels. Lee concurred. Norm noted that if whole coast shut down to dragging, wormers would love it. But even though he doesn’t like draggers, he realizes that the designated drag area needs to be cleaned up. Mussels there are too old to be marketable. But the issue is where to get rid of the old ones? Lee suggested that even if there is no product, this would give us a chance to learn something. Right now, there is lots of waste, industry-wide. Norm explained that the mussel market is based on meat count. When a harvest begins, the meat count starts at 70% and finally ends up with 30% which is effectively cat food.

Steve is concerned about the small harvest area within larger area. He proposes a one year trial to protect kelp beds south of the U.S. Route 1 bridge by barring dragging west of a line from the Sullivan end of the bridge to the end of Falls Point. To protect eelgrass and horseshoe crabs west

of Burying Island, restrict dragging to the eastern side of the channel within a triangle with apex at Cedar Point extending to the southern ends of Burying Island and Burying Island Ledge.

Lee sees it as presumptuous that we can sit here and predict where mussels are.

Slade troubled that the southern zone below the falls will be treated no differently than rest of coast. We are missing an opportunity. John clarified that the area below the bridge would be different from the rest of the coasts under the DMR proposal including monitoring requirements that could inform us on future management as well as biomass targets.

Norm asked Shep how long Shep had fished in Taunton Bay and has there been a problem? In Shep's 30 years, not yet. Norm had a problem with more regulation and control without the evidence of a problem. Norm wants just hand harvesting or choosing areas to be dragged. Slade reminded us that there really are two issues, too much harvest and impacts. Research is needed.

In response to Norman's concern, Doug noted that the past doesn't predict future. Conditions change and new uses emerge. And we are trying to learn something. All this justifies doing something different. Maybe we should not look at the historical view and instead look at this as experiment to learn something.

Slade asked how fishermen might coordinate better to prevent overharvest and impacts. He pointed to instances where one fisherman after another comes into an area and prospects for mussels that were already harvested out. This is unnecessarily hard on the bottom.

Les asked what happens on July 1. John explained that with no new regulation, the moratorium lifts and anyone can enter the bay and drag.

Shep wanted to clarify our question/problem. Les suggested that divers are not a problem in kelp in rocks. Shep saw draggers going where they have never gone before and there is more and more pressure that we need to anticipate. Lee does not want the plan to deal with just dragging, but with species and population health.

Norm noted that mussel dragging really is the problem for the intertidal areas. Intertidal areas are not threatened or impacted by scallop and urchin drags because they are below low water. Steve wants to talk about Taunton Bay as a whole. We haven't talked about sedimentation, eelgrass, birds, etc. Maybe Taunton Bay's highest and best use is supplier of spawn and seed to waters downstream such as Frenchmans Bay. Maybe Taunton Bay should be protected for what it gives to Frenchmans bay. He noted the Jordan River Mussel Conservation Area. Frenchmans Bay used to be full of mussels and eelgrass. Steve would like to see a No harvest option part of discussion.

Action Item – Sherm assigned each of us to develop our own recommendation for presentation at the next meeting.

John requested specific feedback on deficiencies of the DMR plan. He is especially looking to local knowledge about resources in the bay. He also offered to be a resource for individuals if they need information.

New Business

Frank reminded everyone that the horseshoe crab spawning season is around the corner. We need to develop a monitoring and funding strategy soon.

Frank also announced that Wendy Norden is another expert on eelgrass who has moved to the University of Maine at Machias from California.

Sherm pointed out the Fishermans Forum as an outreach opportunity and asked if we want to hold a session there? The group thought this year was premature and declined.

The next meeting will be Tuesday, December 18th with no alternate date. Doug asked if we would like to meet at the new Taunton Bay Resource Center. In agreement, the group decided to meet at 5PM at the resource center in Hancock. Doug will send out directions.

In the event of bad weather, John will post a cancelation on his voice mail (633-9518). If we need more meeting time, we agreed that we could consider meeting twice in January.

Meeting Adjourned at 8:30